



Statement by His Excellency Archbishop Silvano Tomasi, Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva
at the 50th Series of Meetings of the WIPO General Assemblies
Geneva, 1 October 2012

Mr. Chairman,

First of all, the Holy See Delegation presents congratulations for your re-election as the Chair of the General Assembly; it extends them to your two vice-chairs. It deeply appreciates the work you carried out between the last session and now in trying to reach an agreement on a number of issues. We are confident that under your leadership we will be able to arrive at a positive outcome during this session, as we did in the last one.

Allow me also to express our appreciation to the Director-General and his staff for the enormous effort put in place in encouraging innovation and creativity over the last year in all the regions of the world, while promoting a balanced and effective international intellectual property system. We would also like to thank the International Bureau of WIPO for the hard work in the preparation of this meeting.

Since the last Assemblies, significant and positive progress has taken place in various substantive sectors of the Organization. The conclusion of the Beijing Treaty represents an important milestone toward closing the gap in the international rights system for audiovisual performers and it has reflected the collaborative nature of the multilateral process. In line with this substantial result and with the enormous effort put in place by all delegations during the last sessions of the Standing Committee of Copyright (SCCR), my Delegation looks forward to reaching an agreement on an international legally binding instrument on limitations and exceptions for visually impaired persons with print disabilities.

Visually impaired individuals have access to only five percent of published books in developed countries. In poorer countries the percentage is closer to one. At a time when technology brings massive amounts of information to households and businesses, it is a shocking fact that even in the most developed countries in the world, less than five percent of information is available in useable formats such as audio, large print and Braille.

Article 27 of the Universal Declaration of Human Rights recognizes to all individuals the right to freely participate in the cultural life of the community and to enjoy the arts. This is a copyright issue that has a clear human rights dimension: the

need to ensure that copyright is not a barrier to equal access to information, culture and education for people with print disabilities and other reading disabilities.

Pope John Paul II in his Encyclical Letter *Laborem Exercens* stated that “It would be radically unworthy of man, and a denial of our common humanity, to admit to the life of the community, and thus admit to work, only those who are fully functional. To do so would be to practice a serious form of discrimination, that of the strong and healthy against the weak and sick”¹. Since all persons are called to contribute to society, it is a basic requirement to create an international instrument that could help poor and disabled persons to develop their skills in order to make the best use of their capacities and resources both for personal fulfillment and their own contribution to society.

The Holy See recognizes that intellectual property protection is necessary for progress and for the just compensation of researchers and producers. At the same time, it recalls that the primary goal of new knowledge is the service of *the common good of the human community*. This common good must be served in its fullness, not according to a reductionist vision that subordinates it only to the advantage of some people; rather, it is to be based on a logic that leads to the acceptance of greater responsibility. “The common good corresponds to the highest of human inclinations², but it is a good that is very difficult to attain because it requires the constant ability and effort to seek the good of others as though it were one's own good. The distribution of created goods, which, as every discerning person knows, is laboring today under the gravest evils due to the huge disparity between the few exceedingly rich and the unnumbered property-less, must be effectively called back to and brought into conformity with the norms of the common good, that is, social justice”³.

In conclusion, the Delegation of Holy See would like to emphasize the ethical and social dimensions that in a unique way flow from, affect, and mark out, the human person and her action. In any undertaking of thought and action, in every scientific, technical or juridical approach, intellectual property is called to respect creation both in the area of knowledge and discovery and in the recognition of the nature of things: matter, intellect, living beings, and, above all, the human person.

Mr. Chairman,

Let me assure you that you can count on the constructive cooperation and support of this Delegation.

Thank you, Mr. Chairman.

¹ John Paul II, Encyclical Letter *Laborem Exercens*, 22: AAS 73 (1981), 634

² Saint Thomas Aquinas places “knowledge of the truth about God” and “life in society” at the highest and most specific level of man's “*inclinaciones naturales*” (*Summa Theologiae*, I-II, q. 94, a. 2: Ed. Leon. 7, 170).

³ Pius XI, Encyclical Letter *Quadragesimo Anno*: AAS 23 (1931), 197.